

UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Darren W. Gorman *Docket No.:* 3188 *Art Unit:* 3752

In re:

Applicant: Thomas KUEGLER

Serial No.: 10/533,635

Filed: May 2, 2005

A M E N D M E N T

November 7, 2006

Commissioner for Patents
P O Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Office Action of
September 14, 2006.

In the Office Action the Examiner indicated that the present application contained several species, namely species I-VI. The Examiner required to elect for further prosecution a single species from those disclosed in the present application.

In compliance with the Examiner's election requirement the applicants elected for further prosecution the species of Figure 5.

It is respectfully submitted that the fuel injection valve shown in Figure 5 and described in the corresponding part of the specification is defined in claims 1, 5, 6, and 8, 10-13 and 15-17.

The Examiner's election requirement is respectfully traversed. The present application is a U.S. national phase of the PCT application and therefore its examination should follow the PCT rules, in particular Rule 13.1 and 13.2. In the Examiner's opinion the species listed by him lacked the same or corresponding special technical features and therefore there was no unity of the invention in the listed species.

The same or corresponding special technical features are defined in claim 1, the broadest claim on file. In particular, in the inventive fuel injection valve, a first sealing region and a second sealing region are embodied on the valve sealing face, and the hollow valve needle cooperates with the valve seat in

such a way that upon contact of the hollow valve needle with the valve seat, the first sealing region upstream of the at least one injection opening and the second sealing region downstream of that injection molding effect sealing between the valve sealing face and the valve seat. Thus, definitely there are the same or corresponding special technical features which are provided in all embodiments related to all listed species.

The Examiner indicated that the technical features of the device recited in claim 1 represented a known fuel injection arrangement that did not define a contribution of each of the claimed inventions considered as a whole, made over the prior art.

The Examiner however did not provide any prior art and did not provide any information to show specifically that the prior art anticipates or makes obvious the present invention as defined in claim 1 and including the above specified new features.

It is therefore respectfully requested to withdraw the election requirement and to prosecute in the present application all the claims currently on file which deal with all embodiments or species of the present invention, in accordance with the requirements of the PCT regulations.

Consideration and allowance of the present application is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance; he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,

/ Michael J. Striker /

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